CMPMO No. 187 of 2007.

19.9.2007 Present: Mr. Sanjeev Kuthiala, Advocate, for the petitioner.

After arguing for a while Mr. Kuthiala seeks leave of this Court to withdraw this petition filed under Article 227 of the Constitution of India with liberty to the petitioner to file a statutory appeal under the Workmen's Compensation Act, 1923 against the impugned award. Mr. Kuthiala submits that the appeal if now filed having already become time barred, this Court should make observations with respect to the condonation of delay.

Prayer allowed. Petition under Article 227 of the Constitution of India is dismissed as withdrawn. Liberty allowed to the petitioner to file a statutory appeal, if done within three weeks from today. This Court does wish to observe that the pendency of this petition in this Court from the date of its filing till today, in so far as the said period is concerned shall be a good enough ground for condonation of delay in filing the appeal to that extent.

CMP No. 661 of 2007.

In view of the dismissal of the main petition as withdrawn, this application shall stand dismissed.

September 19, 2007. **(V.K. Gupta), C.J.**
(rc)